

Message Text

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43

ACTION EB-07

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FM AMEMBASSY BOGOTA

TO AMEMBASSY MEXICO IMMEDIATE

INFO SECSTATE WASHDC 2821

DEPT OF TREASURY WASHDC

AMEMBASSY BRASILIA

AMEMBASSY CARACAS

AMEMBASSY MONTEVIDEO

AMEMBASSY PANAMA

AMEMBASSY SAN JOSE

AMEMBASSY SAN SALVADOR

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TREASURY FOR CUSTOMS HEADQUARTERS FIB/OI

EO: 11652: N/A

TAGS: OTRA CO

SUBJ: VISIT OF CUSTOMS OFFICERS

REF: MEXICO 0436 (NOTAL)

1. COUNTRY CLEARANCE GRANTED SUBJECT TO UNDERSTANDING THAT DETAILED GUIDELINES FOR ACTIVITIES OF CUSTOMS ATTACHE WILL BE DEVELOPED AS A RESULT OF REPLIES TO QUESTIONS LISTED BELOW AND CONVERSATIONS WITH EMBASSY FOLLOWING ARRIVAL.

A. IS IT INTENTION OF CUSTOMS REP TO DISCUSS MATTERS WITH EMPLOYEES OF COMPANIES LISTED IN PARAGRAPHS ONE AND SIX OF REFTEL OR WITH MANAGEMENT? IS IT EXPECTED THAT COMPANIES' BOOKS WILL BE EXAMINED? WHILE THERE MAY BE EXCEPTIONS, MANAGEMENT OF SMALL COMPANIES (AND MOST OF THOSE LISTED IN REFTEL ARE SMALL) IS LIKELY TO BE EXTREMELY RELUCTANT TO PERMIT U.S. GOVERNMENT OFFICIALS

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TO SEEK DETAILS ON COMPANY OPERATIONS FROM EMPLOYEES.

B. WHAT RECOURSE IS THERE IF COMPANIES DO NOT PERMIT INTER-VIEWS? ARE U.S. IMPORTS FROM NONCOOPERATING COMPANIES RESTRICTED OR PROHIBITED?

C. WHEN WAS LAST TIME COMPANIA EXPORTADORA E IMPORTADORA AT-TEMPTED TO EXPORT TO THE U.S. SHOES MANUFACTURED BY PRISON LABOR?

D. WHAT IS MEANT BY STATEMENT IN PARAGRAPH EIGHT REGARDING "OBTAINING INTELLIGENCE ON NEUTRALITY"?

E. WHAT IS PURPOSE OF INVESTIGATION AND DETAILS OF THE QUES-TIONS TO BE ASKED THE FIRMS IN PARA 6 AND HOW ARE THE INTERVIEWS TO BE CONDUCTED?

2. VISIT WILL HAVE TO BE COORDINATED WITH MINISTRY OF ECONOMIC DEVELOPMENT, FOREIGN TRADE INSTITUTE AND CIVAIR AUTHORITIES IN ADDITION TO CUSTOMS AND SECURITY AUTHORITIES. EMBASSY WILL COOR-DINATE SCHEDULE (AND PARTICIPATE IN OFFICIAL CALLS) ONCE TRAVEL PLANS OF CUSTOMS ATTACHE ARE KNOWN. ASSUME CUSTOMS ATTACHE CAN FUND ANY TRAVEL REQUIRED BY EMBASSY OFFICER WITHIN COLOMBIA.

3. IT IS ASSUMED THAT CUSTOMS REPS CLEARLY UNDERSTAND THAT NA-TURE OF INQUIRIES THEY PROPOSE TOUCH ON DELICATE AND SENSITIVE MATTERS THAT COULD RAISE QUESTIONS OF ANOTHER COUNTRY'S SOVER-EIGNTY, LOCAL LAW AND RIGHTS AS WELL AS THE ACTUAL PROPRIETY OF SUCH INVESTIGATIONS OR THE RIGHT OF SUCH US AGENTS TO CARRY THEM OUT WITHIN COLOMBIA. THESE INQUIRIES HENCE MUST BE CARRIED OUT WITH ALL DUE REGARD TO PROPRIETY, SOVEREIGNTY AND NATIONAL LAWS AND CUSTOMS, AND THEY WILL THEREFORE BE SUBJECT TO, AND MAY BE LIMITED BY, SUCH CONSIDERATIONS. FOR THIS REASON THE VISIT OF THE REPS WILL HAVE TO BE COORDINATED AND CLEARED WITH APPROPRI-ATE GOC AUTHORITIES, AND THE ACTIVITIES OF THE CUSTOMS ATTACHE WILL HAVE TO CONFORM TO THE GROUND RULES AND GUIDELINES ESTAB-LISHED (AS NOTED IN PARA 1 ABOVE) PURSUANT TO THE AMBASSADOR'S STATUTORY AUTHORITY OVER USG ACTIVITIES IN-COUNTRY. IT IS RE-PEATED THAT COUNTRY CLEARANCE IS GRANTED ONLY ON THAT UNDER-STANDING.

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